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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2014 DEC 19 A 9:50

AZ CORP COMMISSION
DOCKET CONTROLArizona Corporation Commission
DOCKETED

DEC 19 2014

DOCKETED BY

RICHARD GAYER,

Complainant,

v.

SOUTHWEST GAS CORPORATION,

Respondent.

DOCKET NO. G-01551A-13-0327

**SOUTHWEST GAS CORPORATION'S
OPPOSITION AND RESPONSE TO
COMPLAINANT'S MOTION TO COMPEL
AND OBJECTION TO REVISED TARIFF****ORIGINAL**

Southwest Gas Corporation ("Southwest Gas" or "Company") hereby submits to the Arizona Corporation Commission ("Commission") its Opposition and Response to Complainant's Motion to Compel Compliance with Order No. 74780 ("Motion to Compel") and Objection to Southwest Gas' Proposed Tariff Revisions ("Objection") served by Complainant Richard Gayer ("Mr. Gayer") on December 9, 2014 and November 9, 2014, respectively. This opposition and response is filed pursuant to Section R14-3-106 of the Arizona Administrative Code ("A.A.C.") and all other relevant sections of the A.A.C. and the Arizona Revised Statutes ("A.R.S."), including 16 A.R.S. Rules of Civil Procedure, Rule 7.1.

On October 24, 2014, the Commission issued Decision No. 74780 in the instant docket ("Decision"). The Decision includes a number of compliance items which are required of the Company, most of which are ordered to be completed within 60 and 120 days from the effective date of the Decision. Notwithstanding that the time for compliance has yet to run for any of these items and the Utilities Division of the

Commission ("Staff") has not made a determination as to whether the Company has fully complied with its obligations, Mr. Gayer has filed his Motion to Compel and Objection relating to certain of these compliance items. Based thereon, Mr. Gayer's Motion to Compel and Objection should be denied as being premature and unripe for consideration.

In any event, and despite the time for compliance having not yet lapsed, Southwest Gas has already complied with some of the items required by the Decision. For example, the Decision ordered Southwest Gas to "amend its tariff pages to reflect its use of the linear regression analysis, metered use cap (i.e. upper limit rule), and zero use floor (i.e., lower limit rule) as secondary mechanics or checks in calculating the [Energy Efficiency Enabling Provision ("EEP") Weather Adjustment]." Decision at 7. On November 7, 2014, the Company filed its revised tariff sheets in this docket to reflect its use of the linear regression analysis, metered use cap, and zero use floor as secondary mechanics or checks in calculating the EEP Weather Adjustment, all in accordance with the Decision. In addition, the Decision ordered "within 60 days of the effective date of this Decision, Southwest Gas Corporation shall modify all Arizona customer bills to include additional line items showing the [monthly weather adjustment] and the [energy efficiency enabling provision] charge, in accordance with the Company's agreement at the hearing." *Id.* Beginning in early November 2014, Southwest Gas' Arizona customer bills reflected a line item showing the EEP Weather Adjustment. A sample bill showing this line item is included herewith as Attachment 1. As a consequence, and contrary to the allegations made by Mr. Gayer in his Motion to Compel and Objection, Southwest Gas has complied with the Decision with respect to these items.

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1 Southwest Gas is of the understanding that once the applicable time has run for
2 compliance with the items ordered in the Decision, Staff will review and determine
3 whether the Company has sufficiently complied with the same. As such a review and
4 determination has yet to be made by Staff (as opposed to Mr. Gayer), Mr. Gayer's
5 allegations of non-compliance are premature and without merit. Thus, the Motion to
6 Compel and Objection should be denied in their entirety.

7 Dated this 19th day of December 2014.

8 Respectfully submitted,

9 SOUTHWEST GAS CORPORATION

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11 
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19 Attorney for Southwest Gas Corporation
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1 **CERTIFICATE OF SERVICE**

2

3 I hereby certify that I have this day served the foregoing documents on all

4 parties of record in this proceeding by mailing a copy thereof, properly addressed with

5 first class postage prepaid to:

6

7 Dwight D. Nodes
Assistant Chief Administrative
8 Law Judge
Arizona Corporation Commission
9 1200 Washington St.
10 Phoenix, AZ 85007-2927

Charles Hains
Legal Division
Arizona Corporation Commission
1200 Washington St.
Phoenix, AZ 85007-2927

11 Richard Gayer
12 526 West Wilshire Dr.
Phoenix, AZ 85003

13

14

15 Dated at Phoenix, Arizona, this 19th day of December, 2014.

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18 _____

19 an employee of Southwest Gas Corporation

Attachment 1

PO Box 98890
Las Vegas NV 89193-8890

Hearing Impaired: Dial 711
www.swgas.com

PLEASE RETAIN THIS TOP PORTION FOR YOUR RECORDS

DUPLICATE

Service Address:

Rate Schedule: 010/G-5 RESIDENTIAL GAS SERVICE

Your Local Office Is 2200 N CENTRAL, STE 101, PHOENIX AZ 85004

ACCOUNT NUMBER	CYCLE	DATE MAILED	PAST DUE AFTER	PLEASE PAY AMOUNT DUE
	12	11/21/14	12/10/14	\$24.89

PREVIOUS BILLING:				
Previous Balance				22.55
Payment(s) Since Last Bill - Thank You				22.55CR
Balance Forward				\$0.00
CURRENT BILLING:				
Meter Reading: Current				34 Days
Nov. 19				Oct. 16
2263 -				2261 =
8 X				.9949 =
Usage Charges				10.66
EEP Weather Adj				0.70
EEP Annual Adj				0.03CR
Basic Service Charge				10.70
DOT Safety Surcharge				0.01
Applicable Revenue Taxes				2.85
Current Bill				\$24.89

*** Sign up for paperless billing at www.swgas.com ***

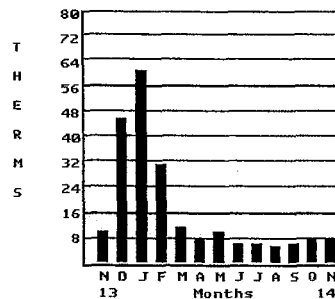
Due on or before: 12/10/14 Amount due: \$24.89

Important Messages:

Your next meter read date is: Dec. 19, 2014

OUR CALL CENTER RECEIVES THE MAJORITY OF CALLS ON MONDAYS, THE DAY AFTER A HOLIDAY, AND DURING THE COOLER WINTER MONTHS. CONVENIENCE IS JUST A CLICK AWAY AT WWW.SWGAS.COM TO START/STOP/MOVE SERVICE, PAY BILLS OR TO CREATE A MYACCOUNT TO MANAGE YOUR ACCOUNT. YOU CAN ALSO ACCESS YOUR ACCOUNT VIA OUR AUTOMATED PHONE SYSTEM 24/7.

Gas Usage History Information:			Avg Daily
	Therms / Days =		Therms
This Month	8 34		0.24
Last Month	7 29		0.24
Last Year	10 30		0.33



Previous Balance	Payments & Adjustments	Balance Forward	Current Bill	Current Balance	AMOUNT DUE
22.55	- 22.55	= 0.00	+ 24.89	= 24.89	\$24.89

PLEASE SEE REVERSE SIDE FOR RULES AND REGULATIONS • RETURN BOTTOM PORTION WITH PAYMENT

*** Sign up for paperless billing at www.swgas.com ***

ACCOUNT NUMBER	CYCLE	DATE MAILED	PAST DUE AFTER	AMOUNT DUE
	12	11/21/14	12/10/14	\$24.89

SOUTHWEST GAS CORPORATION

PO Box 98890
Las Vegas NV 89193-8890

This bill is now due and payable. Please make check payable to **SWG** and write account number on front of check or money order. Do not send cash through the mail or place cash in the night depository.